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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/903,377	07/10/2001	Keith D. Allen	R-365

**CONFIRMATION NO. 8328**

DELTAGEN, INC.  
1003 Hamilton Avenue  
Menlo Park, CA 94025

**WITHDRAWAL NOTICE**



\*OC00000008309643\*

Date Mailed: 06/19/2002

**WITHDRAWAL OF PREVIOUSLY SENT NOTICE**

The Notice mailed on 03/07/2002 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

*A copy of this notice MUST be returned with the reply.*

*KL*

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**APPLICATION 09/903,377 DOES  
NOT COMPLY WITH THE  
SEQUENCE RULES BECAUSE:**

X	CRF, paper copy of sequence listing, and statement that both are same are missing
	CRF contains error(s) according to STIC Report
	CRF damaged or unreadable according to STIC Report
	CRF transferred from prior application is not compliant
	Other: Figure 1 contains nucleic acid sequences that are not described in the sequence listing or CRF

**APPLICATION SERIAL NUMBER**

**09/903377**

**DOES NOT COMPLY WITH THE  
SEQUENCE RULES. See reasons below.**

**The description of Fig. 2A contains a  
nucleic acid sequence that is not described  
in the sequence listing.**



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09/903,377	07/10/2001	Keith D. Allen	R-365

## CONFIRMATION NO. 8328

DELTAGEN, INC.  
1003 Hamilton Avenue  
Menlo Park, CA 94025

## FORMALITIES LETTER



\*OC00000008309662\*

Date Mailed: 06/19/2002

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821 - 1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

### Applicant Must Provide as part of the response:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

### For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

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